

BEFORE THE INDIAN CLAIMS COMMISSION

BAY MILLS INDIAN COMMUNITY, SAULT STE.)	
MARIE, ARTHUR LAWRENCE LABLANC, DANIEL)	
EDWARDS AND JOHN L. BOUCHER, AND)	
OTTAWA AND CHIPPEWA INDIANS OF MICHIGAN,)	
ET AL.,)	
)	
Plaintiffs,)	
)	
v.)	Docket Nos. 18-E and 58
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER DENYING IN PART AND GRANTING IN PART
PLAINTIFFS' MOTION TO AMEND DECISION OF COMMISSION

THIS MATTER comes before the Commission upon plaintiffs' motion designated "Motion to Correct (or Amend) Decision of Commission Entered December 29, 1971 (26 Ind. Cl. Comm. 538)," dated February 9, 1972, and defendant's response thereto dated February 23, 1972. In the aforesaid decision entered in this case, the Commission excluded an amount totalling \$191,243.48 (being the sum paid under the treaty of March 28, 1836 (7 Stat. 491) to the Grand River Ottawa Indians) as an allowable payment on the claim because it appeared that the said Grand River Ottawa Indians were not parties to the claim. It now appears that the Grand River Ottawa Indians are a proper party to this suit and, accordingly, the sum of \$191,243.48 should have been allowed as a payment on the claim. Therefore, being fully advised in the premises, the Commission is of the opinion that the motion should be granted in part and denied in part.

IT IS THEREFORE ORDERED that the Commission's additional findings of fact and opinion entered in the above-entitled case on December 29, 1971 (26 Ind. Cl. Comm. 538-562) be amended as follows:

- (1) Opinion (p. 542). There be deleted on the second line from the top, the dollar figure of \$1,653,334.46 and substituted the dollar figure of \$1,844,577.94;

There be deleted on the third line from the top, the dollar figure of \$1,821,628.06 and substituted the dollar figure of \$2,012,871.54; and

There be deleted in its entirety footnote No. 1.

- (2) Opinion (p. 546). There be deleted on the fourth and fifth lines from the top, the dollar figure of \$1,822,227.52 and substituted in lieu thereof the dollar figure of \$2,013,471.00; and

There be deleted on the seventh line from the top, the dollar figure of \$10,319,996.71 and substituted the dollar figure of \$10,128,753.23.

- (3) Opinion (p. 549). There be deleted the dollar figure of \$10,300,247.03 as the final award sum in the last line of the opinion and substituted the dollar figure of \$10,109,003.55.

- (4) Finding of Fact 57 (p. 552). There be deleted the total sum figure of \$388,756.52 from both columns of the sixth line from the bottom and substituted the figure of \$580,000.00;

Finding of Fact 57 (p. 553). There be deleted at the end of the column marked "Total Promised" the figure \$1,653,334.46 and there be substituted the figure of \$1,844,577.94, and there be deleted at the end of the column marked "Total Paid" the figure \$1,821,628.06 and there be substituted the figure of \$2,012,871.54; and

There be deleted on the fifth line from the bottom the figure \$1,653,334.46 and there be substituted the figure (~~\$1,844,577.94~~).

- (5) Finding of Fact No. 61 (p. 560). There be deleted the figure \$1,821,628.06 on the fourth line from the bottom and there be substituted the figure of \$2,012,871.54; and

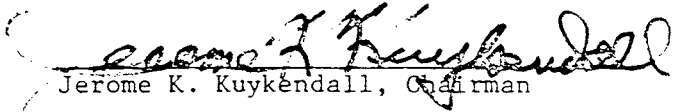
There be deleted from the total on the bottom of the page the figure \$1,841,977.20 and there be substituted the figure \$2,033,220.68.

- (6) Finding of Fact No. 61 (p. 561). There be deleted the dollar figure of \$10,300,247.03 as the final judgment sum on the last line of the Findings of Fact and there be substituted in lieu thereof the figure of \$10,109,003.55.

- (7) Except to the extent indicated above, the balance of plaintiffs' motion to correct (or amend) is denied, and the Clerk is directed

to make the above amendments in the original additional findings of fact and opinion of this case.


Dated at Washington, D. C., this 15th day of March 1972.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner